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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,765	03/22/2001	Robert P. Rumble	A-68945/RBC	2423

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EXAMINER

JUNG, DAVID YIUK

ART UNIT PAPER NUMBER

2134

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/813,765

Applicant(s)

RUMBLE, ROBERT P.

Examiner

David Y. Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-40 are presented.

Response to Arguments

Applicant's arguments filed have been fully considered but they are not persuasive.

The crux of the arguments is thus: that Weiss (which was cited by Applicant) does not teach verification. Yet, in the very passage required by Applicant in the filed arguments (column 2, lines 3-47), Weiss discusses varying in nonpredictable ways so as to provide unique codes. Applicant is requested to explain further as to why Applicant "cannot reasonably discern [page 12, Applicant's filing]" this. Because of this insufficiency of the arguments, Applicant's arguments are deemed to be not persuasive at this time.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss (cited by Applicant, US Patent 5,657,388) and SecurID (cited by Applicant, Product Datasheet of SecurID Authentication Tokens).

Regarding claim 1, SecurID teaches "A method of unlocking a locked structure comprising the steps of:

creating cryptogram at an encryption device located remote of said locked structure, said encryption device having a first clock, by encrypting a time representation based upon said first clock with an encrypting cryptographic key f or said locked structure using an encryption algorithm; (b) transporting said cryptogram f rom said encryption device to said locked structure (SecurID , first page, upper left, especially "new unpredictable access code every 60 seconds" -- thus, such cryptogram with such time representation, etc. are created). ..."

SecurID is not explicit regarding "inputting ... decryption ..." or about details of the decryption aspects of the claim.

Weiss teaches "(c) inputting said cryptogram into a decryption device at said locked structure , said decryption device having (i) a decryption algorithm corresponding to said encryption algorithm, (ii) a decrypting cryptographic key corresponding to said encrypting cryptographic key at said encryption device, and (iii) a second clock at the encryption device operating at a fixed time ' relationship to said first clock; (d) decrypting said cryptogram using said decryption algorithm and said decrypting cryptographic key at said decryption device to produce a decrypted time representation; (e) comparing said decrypted time representation with a time representation based upon said second

Art Unit: 2134

clock; and (f) unlocking said lock at said structure if said decrypted time representation meets time-based criteria relative to said time representation based upon said second clock. (column 2, lines 4-44, especially the discussion of verification unit which shows how the seed numbers are updated and compared – thus, such decryption, etc. of the claim are shown)” for the motivation of “permitting access (column 1, lines 5-11).”

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 2 (locked structures, etc.), such features are well known in the art for the motivation of security. Regarding claims 3 (inputting other data to encryption device, etc.), such features are well known in the art for the motivation of security. Regarding claims 4-27 (various encryption and decryption and clock handlings), such features are well known in the art for the motivation of security.

Regarding claim 28, SecurID teaches “A locked portal opening control system comprising: an encryption device responsive to input of a structure identifier to encrypt an encrypting cryptographic key for a structure with a time representation to produce a cryptogram output; a structure remote of said encryption device having a lock mechanism controlling access to said structure; (SecurID , first page, upper left, especially “new unpredictable access code every 60 seconds” -- thus, such cryptogram with such time representation, etc. are created). ...”

SecurID is not explicit regarding “ ... decryption ...” or about details of the decryption aspects of the claim.

Weiss teaches "a decryption device located at said structure and having an unlocking assembly coupled to said lock mechanism, said decryption device being responsive to input of said cryptogram unlock said lock mechanism if a decrypted time representation produced by decrypting said cryptogram meets a time-based criteria in said decryption device (column 2, lines 4-44, especially the discussion of verification unit which shows how the seed numbers are updated and compared – thus, such decryption, etc. of the claim are shown)" for the motivation of "permitting access (column 1, lines 5-11)."

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraphs so as to teach the claimed invention. Regarding claims 29-39 (various encryption and decryption and clock handlings), such features are well known in the art for the motivation of security.

Regarding claim 40, SecurID teaches "A lock box unlocking control system comprising: a plurality of lock boxes positioned in spaced apart locations, each lock box having a lock mechanism, an unlocking device operatively connected to unlock said lock mechanism, and a decryption device operatively connected to said unlocking mechanism to activate said unlocking device and to cause unlocking of said lock mechanism upon entry of a cryptogram meeting time-based criteria into said decrypting device; at least one encryption device formed to produce a cryptogram in response to input of a lock box identifier to said encryption device; said encryption device and said decryption device having matching encryption and decryption algorithms and having

Art Unit: 2134

clocks operating in a fixed time relationship to each other; said encryption device having a plurality of different encrypting cryptographic keys stored therein and correlated to a plurality of lock box identifiers;(SecurID , first page, upper left, especially “new unpredictable access code every 60 seconds” -- thus, such cryptogram with such time representation, etc. are created). ...”

SecurID is not explicit regarding “ ... decryption ...” or about details of the decryption aspects of the claim.

Weiss teaches “said decryption device at each of said plurality of lock boxes having a different decrypting cryptographic key; said encryption device being formed to encrypt a time representation based upon a clock time of the encryption clock with an encrypting cryptographic key selected by input to said encryption device of a selected lock box identifier to produce a cryptogram; and said decryption device being formed to decrypt said cryptogram using said decryption algorithm and a decrypting cryptographic key for the lock box into which said cryptogram is input to produce a decrypted time representation; said decryption device further being formed to compare said decrypted time representation with a time representation based upon the clock time from the clock in said decryption device at the time of input of said cryptogram to said decryption device and to actuate said unlocking mechanism if said decrypted time representation and said time representation have upon the decryption clock meet a required criteria. (column 2, lines 4-44, especially the discussion of verification unit which shows how the seed numbers are updated and compared – thus, such decryption, etc. of the claim are shown)” for the motivation of “permitting access (column 1, lines 5-11).”

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Points of Contact

Any response to this action should be mailed to:

Application/Control Number: 09/813,765
Art Unit: 2134

Page 8

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Greg Morse whose telephone number is (571) 272-3838.

David Jung

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, horizontal, slightly wavy line extending to the right.

Application/Control Number: 09/813,765

Page 9

Art Unit: 2134

Patent Examiner

5/31/05

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